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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

103 JUL -3 AM 10:07

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. Rene GONZALEZ-Landeros,
2. Gerardo CORTEZ-Copado

Defendant(s)

Magistrate Case No.08MJ2026

AMENDED *EC* DEPUTY
COMPLAINT FOR VIOLATION OF:

Title 8 U.S.C., Sec. 1324 (a)(2)(B)(iii)
Bringing in Illegal Aliens Without
Presentation

The undersigned complainant, being duly sworn, states:

On or about **July 1, 2008**, within the Southern District of California, defendant **Rene GONZALEZ-Landeros and Gerardo CORTEZ-Copado**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Alvaro DELRIO-Garcia, Fidel LOPEZ-Payan, Jorge LOPEZ-Tiscareno**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT

James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 3rd DAY OF JULY, 2008.


Barbara L. Major
UNITED STATES MAGISTRATE JUDGE

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STW**CONTINUATION OF COMPLAINT:****Rene GONZALEZ-Landeros**
Gerardo CORTEZ-Copado**PROBABLE CAUSE STATEMENT**

Furthermore, the complainant states that **Alvaro DELRIO-Garcia, Fidel LOPEZ-Payan, Jorge LOPEZ-Tiscareno**, are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On July 01, 2008, Border Patrol Agent C. Horal was performing line watch duties near Campo, California. This area is located approximately ten miles east of the Tecate, California Port of Entry and approximately twelve miles north of the United States/Mexico International Boundary.

At approximately 6:00 A.M., Agent Horal responded to an activation of a seismic intrusion device. Upon arrival in the area, Agent Horal found fresh footprints that had crossed the road he was driving on. Agent Horal followed the footprints until he found sixteen individuals attempting to hide in the brush. One of the individuals was later identified as defendant, **Rene GONZALEZ-Landeros** and one was later identified as defendant **Gerardo CORTEZ-Copado**. Agent Horal immediately identified himself as a United States Border Patrol Agent and questioned all sixteen individuals as to their citizenship. All sixteen subjects admitted to having entered the United States illegally without any immigration or travel documents that would allow them to be in, or remain in the United States legally. All subjects also admitted to being natives and citizens of Mexico. At 8:30 A.M., the defendant and all other subjects were placed under arrest and transported to the Pine Valley Border Patrol Station for further processing.

DEFENDANT STATEMENT:

Defendant **Rene GONZALEZ-Landeros** was advised of his Miranda Rights. The defendant stated that he understood and was willing to answer any questions. The defendant was again questioned regarding his citizenship and immigration status. He stated that he is a citizen and national of Mexico without any immigration documents to be in or remain in the United States legally.

When presented with both his immigration and criminal histories, the defendant stated that they were in fact his. The defendant stated that he had crossed illegally into the United States on Sunday June 29, 2008. The defendant stated that he was in the front of the group but denied that he was involved in alien smuggling. GONZALEZ stated that he knew CORTEZ was at his side most of the time. The defendant stated that Gerardo CORTEZ-Copado was the foot guide in charge of smuggling the group on this event.

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CFN

CONTINUATION OF COMPLAINT:

Rene GONZALEZ-Landeros

Gerardo CORTEZ-Copado

MATERIAL WITNESSES STATEMENTS:

Material Witnesses **Alvaro DELRIO-Garcia, Fidel LOPEZ-Payan, Jorge LOPEZ-Tiscareno** stated that they are citizens and nationals of Mexico illegally present in the United States. They stated that they did not have any immigration documents allowing them to be in the United States legally. They stated that arrangements had been made in Mexico to be smuggled into the United States. All the material witnesses stated that they were to pay fees ranging from \$1800.00-\$2000.00 U.S. dollars to be smuggled into the United States. The material witnesses stated that two men guided them across the International Border. A vehicle picked them up and drove them close to the Pine Valley Border Patrol checkpoint and dropped them off. They were to circumvent the checkpoint on foot but were apprehended by the Border Patrol.

When shown a photographic lineup all of the Material Witnesses were able to identify defendant **Rene GONZALEZ-Landeros** and **Gerardo CORTEZ-Copado** as the individuals leading them across the border into the United States.